

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

AUG 24 2021

Clerk, U.S. District & Bankruptcy  
Court for the District of Columbia

MICHAEL HUNTER, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES SENATORS *et al.*, )  
 )  
 Respondents. )

Civil Action No. 21-246 (UNA)

**MEMORANDUM OPINION**

Petitioner, appearing *pro se*, has filed a Petition for a writ of mandamus, ECF No. 1, and an application to proceed *in forma pauperis*, ECF No. 2. Also pending is Petitioner’s motion to use a P.O. Box address, ECF No. 4. The Court will grant the application and motion and then dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B) (requiring dismissal of a case upon a determination that the complaint is frivolous).

A writ of mandamus is available to compel an “officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.” 28 U.S.C. § 1361. The governing statute “is only a source of jurisdiction for district courts to exercise writs of mandamus to employees of the *Executive* branch,” *United States v. Choi*, 818 F. Supp. 2d 79, 84 (D.D.C. 2011) (emphasis in original), and relief is reserved for “extraordinary situations,” *In re Cheney*, 406 F.3d 723, 729 (D.C. Cir. 2005) (internal quotation marks omitted); *see Power v. Barnhart*, 292 F.3d 781, 784 (D.C. Cir. 2002) (mandamus relief is warranted where “(1) the plaintiff has a clear right to relief; (2) the defendant has a clear duty to act; and (3) there is no other adequate remedy available to the plaintiff”) (citations and internal quotation marks omitted)).

